



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ३, अंक २५]

मंगळवार, मार्च ७, २०१७/फाल्गुन १६, शके १९३८

[पृष्ठे ३, किंमत : रुपये ९.००

असाधारण क्रमांक ४४

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

WATER RESOURCES DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032, dated the 14th October 2016

NOTIFICATION

VIDARBHA IRRIGATION DEVELOPMENT CORPORATION ACT, 1997.

No.Misc-VIDC-2015/(118/2015)/W.R.(Planning).—In exercise of the powers conferred under section 68 read with sub-section(1) of section 7 of the Vidarbha Irrigation Development Corporation Act, 1997 (Maharashtra. Act XXVI of 1997) for the discharge and functions of the Vidarbha Irrigation Development Corporation, hereby make the regulations in relation to the matters of meetings of the Vidarbha Irrigation Development Corporation for the transactions of its business.

1. (1) These regulations may be called as the Vidarbha Irrigation Development Corporation (meetings for transaction of Business) Regulations, 2015.

(2) It shall come into force upon approval by the State Government and with effect from its Publication in the *Official Gazette*.

(3) These Regulations shall be applicable in relation to Rules of Business of the Vidarbha Irrigation Development Corporation.

2. Definitions.—

(1) in these Regulations, unless the context otherwise requires,—

(a) “Act” means the Vidarbha Irrigation Development Corporation Act, 1997 ;

(b) “Chairman” means Minister for Water Resources who shall be the *ex-officio* Chairman of the Corporation

(c) “Corporation” means Vidarbha Irrigation Development Corporation ;

(d) “Governing Council” means Corporation and shall consist of members as specified in sub section 1 of Section 4 of the Act ;

(e) “meeting” means meeting of the Governing Council ;

(f) “member” means *ex-officio* member of the Corporation or member nominated by the government as per provisions in sub-section (1) of section 4 of the Act ;

- (g) "Member Secretary" means the Executive Director of the Corporation;
- (h) "Presiding Authority" means the person who will preside over the meeting of the Corporation ;
- (i) "Section" means a section of the Act :—
- (a) (2) Words and expressions used and not defined in these rules shall have the same meanings assigned to them in the Act.

3. Meetings of Governing Council. —

3.1. Calling of meeting.—subject to the provisions of section 7 of the Act.—

(1) A meeting of the Governing Council shall be held within thirty days of the date of publication of the Regulations and thereafter normally hold a minimum of one meeting in two calendar months in such a manner that not more than sixty days shall intervene between two consecutive meetings :

Provided further that Chairman shall have the right to modify frequency of the meetings as per the situation prevailing at that time.

(2) Meeting of the Governing Council shall be held on such date as may be decided by the Chairman. The Member- Secretary of the Governing Council shall issue the notice of the meetings on the direction of the Chairman.

3.2. Notice of meeting—

(1) A minimum of ten days notice before every meeting, specifying the place, the date and time of the meeting along with statement of business (Agenda items) to be transacted at such meeting and the agenda notes shall be given to all members of the Governing Council by post or by hand delivery or e-mail at their respective addresses registered with the Corporation :

Provided that a meeting may be called at shorter notice to transact urgent business:

Provided further that any accidental omission to give notice to, or the non-receipt of such notice by any member shall not invalidate the proceedings of the meeting.

Explanation.—For the purposes of this sub-clause, the decision of the Chairman on the question whether or not the business is urgent shall be final and conclusive.

(2) Following material facts concerning each item of business to be transacted at a meeting shall be annexed to the notice calling such meeting :—

(a) the nature of concern or interest, financial or otherwise, if any, in respect of each item of business ;

(b) any other information and facts that may enable members to understand the meaning, scope and implications of the items of business and to take decision thereon.

(3) Member Secretary shall assign the duty of circulation of notice of meeting and minutes to the officer in his office. Officer of the Corporation whose duty is to give notice under this section and who fails to do so shall be liable to a penalty of one thousand rupees for every meeting in which such default has occurred.

3.3. Presiding Authority of meeting.—(1) Meetings of the Governing Council shall be presided over by the Chairman or the Vice-chairman in the manner as provided under the provisions of sub-section (2) of Section 7 of the Act

(2) If for any reason Chairman or Vice-Chairman unable to attend the meeting, the meeting shall stand adjourned.

3.4. Adjournment of meeting for want of quorum.—(1) The quorum for such meeting shall be half of its total strength of members of the Governing Council and the participation of the members by video conferencing shall also be counted for the purposes of quorum under this sub-section, and no proxy shall be allowed.

(2) Where a meeting of the Governing Council could not be held for want of quorum, then such meeting shall stand adjourned on the same day and will be placed after one hour and if

meeting could not be held for want of quorum after one hour, then such meeting shall be adjourned to a subsequent date. For the adjourned meeting, a two days' prior notice shall be given to all the members and the meeting so convened shall require quorum.

Explanation.—For the purposes of this clause/section,—

- (i) any fraction of a number shall be rounded off as one;
- (ii) “total strength” shall not include members whose places are vacant.

3.5. Adjournment of meeting by consent.—(1) Any meeting may, with the consent of majority of the members present be adjourned from time to time to later hour on the same day or to any other day, but no business shall be transacted and no proposition shall be discussed at any adjourned meeting other than the business or proposition remaining indisposed of at the meeting from which the adjournment took place.

3.6. Business at meetings.—(1) No business shall be transacted at any meeting other than the business specified in the notice issued:

Provided that, the Chairman may bring before the Governing Council, of his own or at the instance of any member present any business not specified in the notice and which in his opinion is urgent. The opinion of the Presiding Authority on the question whether or not the business is urgent shall be final.

(2) The order in which the business shall be transacted at any meeting shall be determined by the presiding authority.

(3) Draft minutes of the proceedings of every meeting of the Governing Council shall be drafted by the Member-Secretary and shall be circulated to all the members, irrespective of their presence in the meeting within seven days of the meeting. Members may offer their comments, within 7 days from receipt of the draft minutes.

(4) Member-Secretary shall read out minutes and comments received thereon at its next meeting and the same may be confirmed either with or without amendment.

(5) Confirmed minutes shall be signed by both Member-Secretary and the Presiding Authority.

(6) If any member present at any previous meeting to which the minutes pertain draws the attention of the presiding authority to any portion of the minutes of such previous meeting as being erroneously entered in or omitted from the Minute Book, such amendment, as in the opinion of the majority of the members present at the meeting who were also present at such previous meeting is proper or appropriate shall be made before the minutes are signed.

(7) A proposition to adjourn a meeting or to postpone the consideration of any particular question or a point of order shall always be given precedence.

(8) Voting shall be by shown of hands or by ballot as may be decided by the presiding authority.

(9) Against all resolutions passed at a meeting, a remark shall be made in the minutes as “Passed by majority” or “Passed unanimously”, as the case may be.

(10) Any member may at any time submit a point of order for the decision of the presiding authority, but in doing so, he shall confine himself to stating the point.

A. V. SURVE,
Executive Director,
Vidarbha Irrigation Development Corporation,
Nagpur.